THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.19578 OF 1997

Dated: 17th April, 2006.

Between :

Divisional Manager, APSRTC,

Kakinada, East Godavari District. … Petitioner

And

1. State Transport Appellate Tribunal, A.P.,

Rep. by its Secretary, and 2 others. .. Respondents

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ORDER :

The Divisional Manager, A.P. State Road Transport Corporation, Kakinada, East Godavari District, is the petitioner in this writ petition, in which a Writ of Certiorari has been sought calling for the records relating to the order dated 22-4-1997 in A.P.No.92 of 1995 on the file of the State Transport Appellate Tribunal, A.P., Hyderabad.

The third respondent herein filed an application for grant of pucca stage carriage permit to ply on Rajahmundry Town Service route, Gokavaram Bus-stand to Kadiyam via Jampeta, Delux, Rajahmundry Railway Station, ILTD Junction, Balajipet, Borumuru, Horlicks Factory and Vemagiri. The said application was rejected by the Regional Transport Authority, East Godavari District, Kakinada, by order dated 29-12-1994 on the ground that it overlaps the notified route approved in G.O.Ms.No.761, dated 3-6-1975 to a distance of 0.2 Kms. Aggrieved by the same, the 3rd respondent herein preferred an Appeal being A.P.No.92 of 1995 before the State Transport Appellate Tribunal, Hyderabad. The Appellate Tribunal opined that there was no overlapping and accordingly allowed the Appeal and while setting aside the order dated 29-12-1994 directed issue of permit to the 3rd respondent herein. Questioning the same, the present writ petition has been filed by the Corporation.

I have heard the learned Counsel for both the parties and perused the material on record.

The learned Counsel for the respondent submitted that identical writ petitions arising out of G.O.Ms.No.761, dated 3-6-1975 were disposed of by this Court upholding the orders of the Appellate Tribunal and that the same were also affirmed by the Supreme Court. The said fact has not been disputed by the learned Standing Counsel, Sri K. Srinivasa Rao, appearing for the Corporation.

In the circumstances, I do not find any justifiable reason to interfere with the impugned order passed by the 1st respondent Tribunal.

Accordingly, the Writ Petition is dismissed. No costs.

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G. ROHINI, J.

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Dt. 17-4-2006

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